

New policy  
2-10-08

## RUSH TOWNSHIP POLICE DEPARTMENT POLICY ON TOWING DISABLED VEHICLES, VEHICLES INVOLVED IN ACCIDENTS OR POLICE IMPOUNDMENTS

This policy is established by the Rush Township Board of Supervisors in order to give guidance to the Rush Township Police in the relevant factors to consider when circumstances deem it reasonable or necessary to have a vehicle towed in order to better provide for the safety and health of the public.

Established Place of Business: A single location of an emergency towing service, not a subcontractor or substitute service, equipped with the following: business telephone, number published and active, secure storage lot, and emergency towing vehicles which comply with the requirements for the class of service. The business shall be directly accessible 24 hours a day. The employment of answering services or devices is not considered as making a business directly accessible.

In the event of circumstances such as a traffic accident or the presence of a disabled vehicle upon public or private roads, it is the policy of Rush Township that the first priority is the safety of the individuals involved and the traveling public. In keeping with these two priorities, the police shall, whenever practicable, give the opportunity to the individual on the scene who is the owner or otherwise in charge of the disabled vehicle from the scene. The police shall inform the owner or other person in charge of the vehicle that they have this opportunity prior to making any arrangements for other towing services. The opportunity of the owner or other person in charge of the disabled vehicle is limited by the following factors:

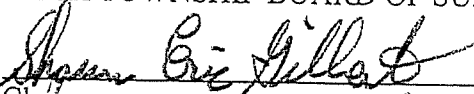
1. The particular circumstances, including the location of the vehicle and the danger and obstructions it poses.
2. The distance from the scene or ready availability of the requested towing service.
3. The time needed by the requested towing service to arrive at the scene.
4. The existence of other police duties, including police response needed elsewhere.
5. The injuries of the persons on the scene and their capability of making such decisions.
6. Whether the vehicle in question is to be impounded pending further police investigation.
7. Other reasonable circumstances, including the need for further investigation, questions, concerning the injuries of the purported owner or person apparently in charge, or similar factors.

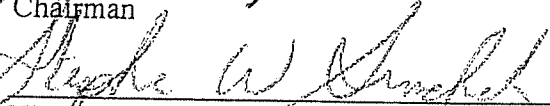
In the event that in the sound discretion of the police officer at the scene, any one or combination of the above factors renders it impractical to acquiesce in obtaining the requested towing service. The officer shall contact the next available towing agency as per the police departments tow log. The Township has not designated a "tower of record". In no event shall the actions of the police incur liability on the part of the Township for the towing service, but in all cases such towing service shall be and remain the responsibility of the owners of the vehicles towed.

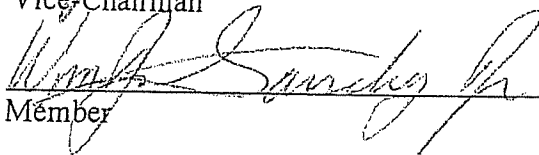
The above is intended to be a policy. Wide discretion and latitude must be given to the police officer on the scene to exercise his judgment in individual circumstances. It is the purpose of this policy to assist the police officer in giving guidance.

This policy adopted by the Rush Township Board of Supervisors this 17<sup>th</sup> day of June, 2008.

RUSH TOWNSHIP BOARD OF SUPERVISORS

  
Chairman

  
Vice Chairman

  
Member